

M10- 983

JAP:AHT

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

COMPLAINT AND AFFIDAVIT
IN SUPPORT OF
ARREST WARRANT

FNU LNU,
also known as
"Luis Andres Diaz" and
"Fidel Castro,"

(18 U.S.C. § 1542)

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

HECTOR LORENZO, being duly sworn, deposes and says that he is a Special Agent with the Department of State, Diplomatic Security Service ("DSS"), duly appointed according to law and acting as such.

On or about August 19, 2002, within the Eastern District of New York, the defendant, FNU LNU, also known as "Luis Andres Diaz" and "Fidel Castro," did willfully and knowingly make a false statement in an application for a passport with intent to induce and secure the issuance of a passport under the authority of the United States, for his own use, contrary to the laws regulating the issuance of passports and the rules prescribed pursuant to such laws.

(Title 18, United States Code, Section 1542).

The source of your deponent's information and the grounds for his belief are as follows:^{1/}

1. I am a Special Agent with DSS and have been so for two and a half years. I am familiar with the facts and circumstances set forth below from my personal involvement in the investigation, my review of the investigative file and from reports of other law enforcement officers involved in the investigation.

2. As further detailed below, on or about August 19, 2002, the defendant FNU LNU, also known as "Luis Andres Diaz" and "Fidel Castro," applied for a United States Passport by submitting his Form DS-11 application at a United States Post Office in Long Island City, New York. This application warned that "[F]alse statements made knowingly and willfully in passport applications including affidavits or other supporting documents submitted therewith, are punishable by fine and/or imprisonment under the provisions of 18 USC 1001, 18 USC 1542, and/or 18 USC 1621." However, on the application, the defendant falsely listed his name as "Luis Andres Diaz," and provided a false date of birth, place of birth and social security number. Additionally, the defendant provided false information concerning his parents.

^{1/} Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause, I have not described all the relevant facts and circumstances of which I am aware.

3. On July 2, 2009, the true Luis Fernando Diaz submitted a Form DS-11 application. Luis Fernando Diaz indicated on that application that he had the same parents and date of birth as "Luis Andres Diaz." Based on that information, investigators concluded that Luis Fernando Diaz and Luis Andres Diaz were twin brothers. However, the photo of Luis Fernando Diaz and the photo submitted with the Luis Andres Diaz application referred to above did not look similar.


4. Investigators subsequently spoke to the mother of Luis Fernando Diaz and Luis Andres Diaz. The mother was shown a picture of the man in the 2002 Luis Andres Diaz DS-11 application and she indicated that the man was not her son.

5. Investigators subsequently learned that the defendant FNU LNU, also known as "Luis Andres Diaz" and "Fidel Castro," was currently incarcerated at F.C.I. Schuylkill in Schuylkill, Pennsylvania. Investigators went to F.C.I. Schuylkill and interviewed the defendant. During the interview, the defendant claimed to be "Luis Andres Diaz," but could not remember his parents' names or dates of birth. The defendant was also shown a copy of the 2002 Luis Andres Diaz DS-11 Application and he acknowledged that he had submitted that application in support of a United States Passport.


6. I submitted the defendant's fingerprints for verification of identity and learned that the fingerprints belong

to an individual who identified himself as "Fidel Castro" during a 2001 border crossing in Laredo, Texas.

WHEREFORE, your deponent respectfully requests that the defendant FNU LNU, also known as "Luis Andres Diaz" and "Fidel Castro," be dealt with according to law.


HECTOR LORENZO
Special Agent
Department of State

Sworn to before me this
25th day of August, 2010


UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK